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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	
	§	
EFO HOLDINGS, LP,	§	Case No. 12-37936-swe-7
	§	
Debtor.	§	
<hr/>		
	§	
Scott M. Seidel, the chapter 7 Trustee, <i>et al.</i> ,	§	
	§	
Plaintiffs	§	
	§	
vs.	§	
	§	Adversary No. 21-03043-swe
EFO LSI, Ltd., <i>et al.</i> ,	§	
	§	
Defendants.	§	

AGREED MOTION FOR ABATEMENT

TO THE HONORABLE SCOTT W. EVERETT, U.S. BANKRUPTCY JUDGE:

Plaintiffs¹ and Defendants jointly submit this *Agreed Motion for Abatement* (the “Motion”) and in support would respectfully show the Court as follows:

ARGUMENT

1. The Parties (Plaintiffs and Defendants) jointly and respectfully seek an abatement of this Adversary Proceeding.

¹ Scott M. Seidel, the chapter 7 trustee (the “Trustee”) for the estate (the “Estate”) of EFO Holdings, L.P. (the “Debtor”), the debtor in the above-styled chapter 7 bankruptcy case (the “Bankruptcy Case”) and Joe Samuel Bailey (“Bailey”), Laserscopic Spinal Centers of America, Inc., Laserscopic Spine Centers of America, Inc., and Laserscopic Medical Clinic, LLC (collectively, the “Plaintiffs” and/or together with the Trustee, the “Plaintiffs”).

2. This Motion is not interposed for any improper purpose or to cause delay. Because the Adversary Proceeding, if not abated, requires significant investment of time and expense, the Parties believe that an abatement will allow them to efficiently use resources and focus on exploring potential settlement opportunities of some or all of the claims before they lift the abatement (if necessary), pursue a ruling on existing summary judgment motions, continue discovery (if necessary), and try the case (if necessary).

RELIEF REQUESTED

The Parties respectfully request that this Honorable Court enter an order abating this Adversary Proceeding and set a status conference every 120 days during the abatement period. To the extent that the parties resolve the Adversary Proceeding, they will promptly advise this Court.

Dated: May 6, 2024

Respectfully submitted,

**PILLSBURY WINTHROP SHAW PITTMAN
LLP**

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CERTIFICATE OF SERVICE

This is to certify that on May 6, 2024, a true and correct copy of the foregoing hearing notice was served by email or the ECF system on all counsel of record (who are deemed to have consented to electronic service):

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